Decision 03-01-032  January 16, 2003

## BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

| | |
|---|---|
| Application of Pacific Gas and Electric Company (U 39 M) for Section 851 Approval of Agreements Allowing Access to Electric Distribution Facilities for the Installation and Maintenance of Telecommunications Equipment. | Application 00-12-026 (Filed December 19, 2000) |

## OPINION CLOSING THE PROCEEDING

### Summary

In Application (A.) 00-12-026, Pacific Gas and Electric Company (PG&E) requested authority under Pub. Util. Code § 851 to convert 13 license agreements into lease agreements.  The application was denied by the Commission in Decision (D.) 02-12-018, issued on December 5, 2002.

On December 19, 2002, WorldCom submitted a letter on behalf of the all parties stating that D.02-12-018 resolved all the issues before the Commission in A.00-12-026 and that the proceeding could be closed.

In light of D.02-12-018 and the parties' letter of December 19, 2002, there is no apparent reason or need to keep this proceeding open.  Consequently, this proceeding will be closed.

### Comments

This is an uncontested matter in which the decision grants the relief requested.  Therefore, pursuant to Pub. Util. Code § 311(g)(2), the otherwise applicable 30-day period for public review and comment is waived.

138707                                        - 1 -

**Assignment of Proceeding**

This proceeding is assigned to Commissioner Lynch and Administrative Law Judge Kenney.

**Findings of Fact**

1. Decision 02-12-018 denied Application 00-12-026.

2. All the parties to this proceeding state that this proceeding can be closed.

3. There is no apparent need or reason to hold this proceeding open.

**Conclusions of Law**

1. This proceeding should be closed.

2. The following order should be effective immediately.

# O R D E R

**IT IS ORDERED** that:

1. Application 00-12-026 is closed.

2. This order is effective today.

Dated January 16, 2003, at San Francisco, California.

> MICHAEL R. PEEVEY
> President
> CARL W. WOOD
> LORETTA M. LYNCH
> GEOFFREY F. BROWN
> SUSAN P. KENNEDY
> Commissioners